

REMARKS

In the March 26, 2010 Office Action¹, the Examiner:

- Objected to the Drawings;
- Rejected claim 7 under U.S.C. § 112, first paragraph;
- Rejected claims 1-8, 11, 14-16, and 18 under 35 U.S.C. § 102(b) as being anticipated by DE 3531011 to Jens ("Jens");
- Rejected claims 1, 9, 10, and 12 under 35 U.S.C. § 102(b) as being anticipated by EP 0475152 to Ishida ("Ishida"); and
- Rejected claim 13 under 35 U.S.C. § 103(a) as being unpatentable over Jens in view of U.S. Patent No. Vakhidov et al. ("Vakhido").

By the present Applicant amends claims 1, 7, 12-15, 17 and 18, and adds new claims 20 and 21. Claims 1-21 are pending.

No indication of rejection or allowance was given for claims 17 and 19.

Objection to the Drawings and Rejection of Claim 7 Under U.S.C. § 112, First Paragraph

On page 2 of the Office Action the Examiner objected to the drawings stating that "manipulating member" of claim 7 was not shown and on page 3 rejected claim 7 under U.S.C. § 112, first paragraph as not having an enabling description of the "manipulating member."

Applicant respectfully disagrees. The subject matter of claim 7 is directed to a material guide device according to the third embodiment of the invention, which is depicted in Fig. 5. As is set out at page 27, line 21 to page 30, line 11 "manipulating

¹ The Office Action contains a number of statements reflecting characterization of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

member 124” is shown in Fig. 5 as exemplary support for the “manipulating member” of claim 7, by way of example and not limitation. For example, page 27, line 21 through page 28, line 8 explains that:

The adjusting mechanism 122 further includes an annular manipulating member 124 disposed adjacent to the pressing member 42. The feed screw structure 44 of the adjusting mechanism 122 is provided between the carrying member 40 and the manipulating member 124. More specifically, the feed screw structure 44 is configured from an external thread 126 formed on the cylindrical outer-circumferential surface of the carrying member 40 in a region corresponding to the small-diameter portion 46 a (FIG. 2) of the cavity 46 of the carrying member 40, and an internal thread 128 formed on the cylindrical inner-circumferential surface of the manipulating member 124. Consequently, the manipulating member 124 and the feed screw structure 44 are disposed near the front face 40b of the carrying member 40 (i.e., remote from the rear face 40c) at a position remote from the material introducing end 22 c of the guide bush 22. Further, an outer circumferential surface 124a of the manipulating member 124 is exposed outside, adjacent to the outer circumferential surface 42 d of the pressing member 42, at a position near the front face 40 b of the carrying member 40. In this state, the outer circumferential surface 124 d of the manipulating member 124 acts as a manipulation section for manipulating the feed screw structure 44 to cause its screwing motion.

Applicant respectfully submits, therefore, that Fig. 5 item 124 provides the requisite support for an illustration of an exemplary “manipulating member” of claim 7 and the specification, including the above description of manipulating member 124, provides exemplary enabling support for the claim 7 “manipulating member” recitation.

Amendments to the Claims

Applicants amend claims 7, 12-15, and 17, and add new claims 20 and 21.

The amended claims include amended independent claim 7 directed to a material guide device according to the third embodiment of the present invention depicted in Fig. 5, and amended independent Claim 12 directed to a material guide

device according to the sixth embodiment of the present invention depicted in Figs. 8A-8C.

Amended independent claim 7 recites all of the features recited in original claims 1 and 7, and an additional feature generally corresponding to the feature recited in original claim 2 and described in the original specification and drawings. Amended independent claim 12 recites all of the features recited in original claims 1, 11 and 12, and an additional feature generally corresponding to the feature recited in original claim 2 and described in the original specification and drawings.

Amended dependent claim 14 recites all of the features recited in original claims 14 and 15, and depends on amended claim 7. Amended dependent claim 15 recites all of the features recited in original claims 14 and 15, and depends on amended claim 12.

Dependent claims 13 and 17 have been modified so as to depend on claim 7, while new dependent claims 20 and 21, respectively corresponding to claims 13 and 17 and depending on claim 12, have been added.

The additional feature in claims 1 and 18, i.e. "with at least a portion of the pressing member extending beyond said front face" is supported at least by Figs. 1 and 5 and related text. As can be seen in Figs 1 and 7, pressing member 22 has a portion that extends beyond front face 40b of carrying member 40.

The additional feature in amended claim 7, i.e., "said manipulating member includes a manipulation section for manipulating said feed screw structure to cause said screwing motion" is described, e.g., on page 28, lines 5-8, in the specification, while the additional feature in amended claim 12, i.e., "an outer circumferential surface of said pressing member comprises a manipulation section for manipulating said feed screw

structure to cause said screwing motion" is described, e.g., on page 38, lines 33-36, in the Specification.

First Rejection under 35 U.S.C. § 102(b)

In the Office Action, the Examiner rejected claims 1-8, 11, 14-16, and 18 under 35 U.S.C. § 102(b) as being anticipated by DE 3531011 to Jens. Applicant respectfully disagrees.

Claims 1-6, 11, 16, and 18

As to claims 1 and 18, each now recite "at least a portion of the pressing member extending beyond said front face" of the carrying member. Assuming (without agreeing), as the Examiner asserts, that Jens' (machine translation) housing 20 is a "carrying member" and that Jens' (machine translation) pressure member 22 is a "pressing member" as required by claims 1 and 18, there is no portion of pressure member 22 that extends "beyond said front face" of housing 20.

For at least this reason, Applicant submits that claims 1 and 18, and claims 2-6, 11, and 16 which depend on claim 1, are not anticipated by Jens.

Claims 7 and 14

Amended independent claim 7 recites all of the features recited in original claims 1 and 7, and an additional feature generally corresponding to the feature recited in original claim 2 and described in the original specification and drawings. More specifically, amended claim 7 recites:

a pressing member disposed **near said front face** of said carrying member;

and

a manipulating member disposed **near said front face** of said carrying member and adjacent to said pressing member, said manipulating member includes a manipulation section for manipulating said feed screw structure to cause said screwing motion.... (emphasis added)

As noted above, Jens (machine translation) describes a device including a housing 20 (which the Examiners deems to be a "carrying member"), a receiving body and pressure member 22 (which the Examiner deems to be a "pressing member") for pushing receiving body 1 and an actuator 26 for moving pressure member 22. Pressure member 22 and actuator 26 are arranged at the back of receiving body 1, and, thus, are not "**near said front face** of said carrying member" as claim 7 requires.

For at least this reason, Applicant submits that claims 7 and claim 14 which now depend on claim 7, are not anticipated by Jens.

Claim 15

Amended dependent claim 15 recites all of the features recited in original claims 14 and 15, and depends on amended claim 12. Amended independent claim 12 recites all of the features recited in original claims 1, 11 and 12, and an additional feature generally corresponding to the feature recited in original claim 2 and the additional feature of:

an outer circumferential surface of said pressing member comprises a manipulation section for manipulating said feed screw structure to cause said screwing motion...

Pressure member 22 of Jens (which the Examiner deems to be a "pressing member") has no such "outer circumferential surface."

For at least this reason, Applicant submits that claim 15 is not anticipated by Jens.

Second Rejection under 35 U.S.C. § 102(b)

In the Office Action, the Examiner rejected claims 1, 9, 10, and 12 under 35 U.S.C. § 102(b) as being anticipated by Ishida. Applicant respectfully disagrees.

Claims 1, 9 and 10

Claim 1 recites:

a pressing member disposed near said front face of said carrying member
... and movable relative to said carrying member;

a carrying member carrying said guide bush; and

at least a portion of the pressing member extending beyond said front
face” of the carrying member.

Applicant assumes (without agreeing) that guide bush 8 in Ishida corresponds to the claim 1 “guide bush” and that collet sleeve 9 is a “pressing member” as required by claim 1. However, contrary to the Examiner’s assertion that Ishida’s collet nut 19 is a “carrying member” of claim 1, which Applicant denies, collet nut 19 is not “carrying said guide bush” as claim 1 requires.

Main spindle 3 of Ishida does appear to be “carrying” guide bush 8, but collet sleeve 9 is **NOT** “movable relative to said carrying member,” i.e. main spindle 3, as claim 1 requires.

For at least this reason, Applicant submits that claim 1, and claims 9 and 10 which depend on claim 1, are not anticipated by Ishida.

Claim 12

As noted above, mended independent claim 12 recites all of the features recited in original claims 1, 11 and 12 and, accordingly, is distinguished from Ishida for at least the reasons set forth above for claim 1.

Claim 12 has an additional feature of:

an outer circumferential surface of said pressing member comprises a manipulation section for manipulating said feed screw structure to cause said screwing motion...

Collet sleeve 9 of Ishida (which the Examiner deems to be a "pressing member") has no such "outer circumferential surface."

For at least this reason, Applicant submits that claim 12 is not anticipated by Ishida.

Rejection under 35 U.S.C. § 103(a)

The Examiner ejected claim 13 under 35 U.S.C. § 103(a) as being unpatentable over Jens in view of Vakhido.

Dependent claims 13 and 17 have been modified so as to depend on claim 7. Accordingly, both are distinguishable over Jens for at least the reasons set forth above for claim 7. Moreover, Vakhido, as the Examiner apparently recognized, does not supply the missing features Jens recited in claim 7.

For at least the foregoing reasons, Applicant respectfully submits that independent claims 1 and 17 are not obvious over Jens in view of Vakhido.

Conclusion

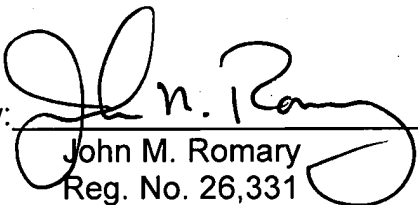
In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims 1-21.

Please grant any extensions of time required to enter this response and charge
any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: September 24, 2010

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